

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-20 and 32-54 were pending in the application, of which Claims 1, 32, 42, and 52 are independent. In the Office Action dated May 5, 2010, Claims 1-20 and 32-54 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-20 and 32-54 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated May 25, 2010, the Examiner rejected Claims 1-8, 10-13, 15-20, 32-36, 38-46, and 48-51 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,970,466 (“*Detjen*”) in view of *Building Java Enterprise Systems with J2EE*, (“*JavaBeans*”). In addition the Examiner rejected Claims 9, 37, 47, and 52-54 under 35 U.S.C. § 103(a) as being unpatentable over *Detjen* in view of *JavaBeans* and U.S. Patent No. 5,943,051 (“*Onda*”) and Claim 14 under 35 U.S.C. § 103(a) as being unpatentable over *Detjen* in view of *JavaBeans* and U.S. Patent No. 7,039,596 (“*Lu*”). Claims 1, 32, 42, and 52 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “manipulating the display of each selected calendar in response to a change in the view mode of the first selected calendar, the change in the view mode of the first selected calendar corresponding to a change in the position of display of the first selected calendar, wherein manipulating the display of each selected

calendar comprises adjusting the alignment of each selected calendar so as to correspond to the changed position of display of the first selected calendar.” Amended Claims 32 and 42 each include a similar recitation. Amended Claim 52 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “simultaneously scrolling the first calendar and the second calendar, wherein simultaneously scrolling the first calendar and the second calendar comprises displaying the first calendar and the second calendar at the same position of display while scrolling the first calendar and the second calendar.” Support for these amendments can be found in the specification at least on page 9, lines 14-26.

In contrast, *Detjen* fails to disclose the aforementioned recitations. For example, *Detjen* merely discloses that each schedule includes a vertical bar graph with indicia of time along one side. (See col. 5, lines 8-10.) To the right of *Detjen*’s vertical bar graph is an appointment file with rows or boxes corresponding to time slots for entry of appointment data. (See col. 5, lines 10-12.) *Detjen* further discloses a vertical scroll bar for scrolling up and down the schedule. (See col. 5, lines 12-13.) However, nowhere does *Detjen* disclose synchronizing schedule manipulation, such as scrolling, throughout each displayed schedule. Rather, *Detjen* merely discloses a scroll bar for scrolling through each schedule but remains silent regarding any synchronization of display in response to schedule manipulation.

Furthermore, *JavaBeans* does not overcome *Detjen*’s deficiencies. For example, *JavaBeans* merely discloses a model for developing server-side enterprise application components that can make building portable and distributed enterprise applications an easier task. (See Chapter 36: Modeling Components with Enterprise JavaBeans,

paragraph 1.) Nowhere does *JavaBeans* disclose aligning simultaneously displayed calendar at, for example, a common time period, much less synchronizing schedule manipulation, such as scrolling, throughout each displayed schedule. Rather, *JavaBeans* merely discloses basic architecture and concepts involved in building enterprise application components.

Moreover, in rejecting Claims 2, 4, and 43, the Examiner stated that *Detjen*, as modified by *Javabeans*, does not disclose calling an aggregate display module for displaying calendars as claimed. (See Office Action, page 4, paragraph 2.) However, the Examiner contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to including the aggregate display module, as calling modules for display has been well known in the art for many years. (See Office Action, page 4, paragraph 2.)

The claimed aggregate display module is claimed to, for example, “[display] all selected calendars simultaneously,” as recited by Claim 43. Thus, even if the Examiner’s contention were true, Applicants respectfully suggest that the Examiner has failed to make a *prima facie* case of obviousness at least as to the aggregate display module’s simultaneous display functionality. In order to make a *prima facie* case of obviousness, the Examiner must set forth prior art which teach or suggest every claim limitation. (See MPEP § 2143.) There is nothing in the prior art cited by the Examiner that discloses the subject matter of Claim 2, 4, and 43. Accordingly, Applicants respectfully request withdrawal of this rejection of Claim 2, 4, and 43.

If the Examiner continues to rely on this unsupported contention, Applicants respectfully request the Examiner to provide support. See, In re Zurko, 258 F.3d 1379, 59 U.S.P.Q.2d 1693 (Fed. Cir. 2001) (holding that the USPTO must point to some concrete evidence in the record to support core factual findings in a determination of patentability); Memorandum by Stephen G. Kunin, Deputy Commissioner for Patent Examination Policy (February 21, 2002)(stating that it is never appropriate to rely on common knowledge without evidentiary support as sole or principal evidence on which to base rejection); 37 C.F.R. § 1.104 (providing that when a rejection in an application is based on facts within the personal knowledge of an Examiner, the data should be stated as specifically as possible, *and the facts must be supported*, when called for by the applicant, by an affidavit from the Examiner); MPEP § 2144.03 (providing that the Examiner may only take official notice of facts outside of the record which are capable of instant and unquestionable demonstration as being "well-known" in the art and, if the Applicant traverses such an assertion, the Examiner *should cite a reference* in support of his or her position.).

Combining *Detjen* with *JavaBeans* would not have led to the claimed subject matter because *Detjen* and *JavaBeans*, either individually or in any reasonable combination, at least do not disclose "manipulating the display of each selected calendar in response to a change in the view mode of the first selected calendar, the change in the view mode of the first selected calendar corresponding to a change in the position of display of the first selected calendar, wherein manipulating the display of each selected calendar comprises adjusting the alignment of each selected calendar so as to correspond to the changed position of display of the first selected calendar," as

recited by amended Claim 1, and “,” as recited by amended Claim 52. Amended Claims 32 and 42 each include a recitation similar to Claim 1. Accordingly, independent Claims 1, 32, 42, and 52 each patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 32, 42, and 52.

Dependent Claims 2-20, 33-41, 43-51, and 53-54 are also allowable at least for the reasons described above regarding independent Claims 1, 32, 42, and 52, and by virtue of their respective dependencies upon independent Claims 1, 32, 42, and 52. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-20, 33-41, 43-51, and 53-54.

II. Conclusion

In view of the foregoing, Applicants respectfully submit that the pending claims, as amended, are patentable over the cited references. The preceding arguments are based only on the arguments in the Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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